

OA091 (Rev. 12/03) Criminal Complaint

UNITED STATES DISTRICT

WESTERN DISTRICT OF

FILED - ESC

December 1, 2008 11:45 AM

RONALD C. WESTON, SR., CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: CBH /

UNITED STATES OF AMERICA  
V.  
LAZARO LOPEZ PERALES

CRIMINAL COMPLAINT

Case Number: 1:08-MJ-648

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 5, 2008 in Cass County, in the Western District of Michigan defendant(s) did,

(Track Statutory Language of Offense)

flee with intent to avoid prosecution for a felony under the laws of the State of Michigan

in violation of Title 18 United States Code, Section(s) 1073.

I further state that I am a(n) Special Agent, FBI and that this complaint is based on the following facts:  
Official Title

See attached affidavit

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

  
Signature of Complainant

ANTHONY V. AUBERMANN  
Printed Name of Complainant

Sworn to before me and signed in my presence,

December 1, 2008  
Date

at GRAND RAPIDS MICHIGAN  
City State

ELLEN S. CARMODY  
Name of Judge  
MAGISTRATE JUDGE  
Title of Judge

  
Signature of Judge

**AFFIDAVIT**

Affiant, Anthony V. Aubermann, being duly sworn, deposes and states the following is true to the best of his knowledge:

**INTRODUCTION**

1. Affiant is a Special Agent with the Federal Bureau of Investigation (FBI) in St. Joseph, Michigan. Affiant has been so employed as a Special Agent with the FBI for over 18 years. As part of Affiant's duties, he is assigned to assist local departments, including the Cass County, Michigan, Sheriff's Department (CCSD), in locating and apprehending fugitives.

2. Affiant was informed by CCSD Detective Kristen F. Daly that a Crime Stoppers tip was received by the CCSD regarding a homicide that allegedly occurred on Friday night, September 5, 2008, in a migrant camp on Glenwood Road near Dowagiac, Michigan, in Cass County. The tipster claimed that LAZARO LOPEZ PERALES had gotten into an argument and shot a victim. The tipster also advised that LAZARO LOPEZ PERALES and Jose Luis placed the body of the victim into a 1998 Chrysler van with Florida plates and then dumped the body. The tipster informed that LAZARO LOPEZ PERALES, Jose Luis, and two women then fled the area and headed to Florida.

3. Affiant was further advised by CCSD Detective Kristen F. Daly that on October 12, 2008, a body was discovered in Van Buren County, Michigan, in a bean field located near 76th Street and Territorial Road. The body was subsequently identified as Miguel Angel Perez-Calixto. An autopsy determined that Miguel Angel Perez-Calixto had been shot and the bullet was recovered.

4. Detective Kristen F. Daly advised Affiant that a witness, Hector Mares, also known as (aka) Flacko, was arrested in Arcadia, Florida, on September 27, 2008. Detective Kristen F. Daly also advised that LAZARO LOPEZ PERALES was also arrested on September 27, 2008, and lodged at the DeSoto County, Florida, jail on an outstanding warrant. However, LAZARO LOPEZ PERALES was released on bond.

5. Detective Kristen F. Daly further advised Affiant that a detective with the Arcadia, Florida, Police Department developed information from a Confidential Informant (CI) regarding the aforementioned subject and accomplices attempting to dispose of a van used in a homicide as well as these individuals possibly removing seats from the van because they contained blood from the victim.

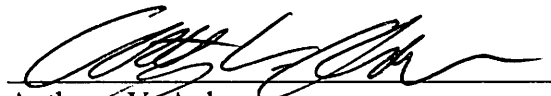
6. A computerized criminal history check by Affiant on November 26, 2008, for LAZARO LOPEZ PERALES, male, year of birth 1974, disclosed two (2) arrests by the DeSoto County, Florida, Sheriff's Department on February 23, 2007, and September 27, 2008, respectively.

7. Affiant received a letter dated November 19, 2008, from the Cass County, Michigan, Office of the Prosecuting Attorney authored by Prosecuting Attorney Victor A. Fitz. Prosecuting Attorney Fitz requested the assistance of the FBI in locating and apprehending fugitive LAZARO LOPEZ PERALES, who is wanted on felony state open murder charges in violation of MCL 750.316 and state felony firearm charges in violation of MCL 750.227b. The letter advised that Prosecuting Attorney Fitz's office was willing to extradite LAZARO LOPEZ PERALES from anywhere in the United States or any foreign country to prosecute him on these charges. A copy of the felony warrant issued by Magistrate Sandra Olson, Cass County 4<sup>th</sup> District Court, for LAZARO LOPEZ PERALES, showing his address as 1524 Secarnahan Avenue, Arcadia, Florida 33821, was also enclosed referencing case number 2008001888, dated November 14, 2008.


**SUMMARY**

8. Based upon the facts set forth above, there is probable cause to believe that LAZARO LOPEZ PERALES has unlawfully fled the state of Michigan to avoid prosecution in violation of Title 18, U.S.C., Section 1073.

Further, Affiant saith not.

  
Anthony V. Aubermann  
Special Agent  
Federal Bureau of Investigation

Subscribed and sworn to before me  
this 1<sup>st</sup> day of December, 2008.

  
HON. ELLEN S. CARMODY  
United States Magistrate Judge  
United States District Court